ORDER RECEIVED FOR FILING
Date
The Anthrope

10th Election District

* ZONING COMMISSIONER

* Case No. 93-203-A

* OF BALTIMORE COUNTY

3rd Councilmanic District Sarkis G. Aghazarian, et ux

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 8 Glenberry Court in the Brookfield subdivision of Baltimore County. The Petitioners seek relief from Section 1A03.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a dwelling height of 42 ft. in lieu of the required 35 ft. The relief requested is more particularly shown on Petitioners' Exhibit No. 1., the plat to accompany the Petition for Variance.

The Petitioner/property owner, Mr. Sarkis G. Aghazarian, appeared at the public hearing and was represented by Malcolm F. Spicer, Jr., Esquire. Also appearing in support of the Petition was Michael Wang, the Architect who prepared the site plan and the elevation/construction drawings to accompany the Petition, marked as Petitioners' Exhibit No. 4. There were no Protestants present.

The subject property is 5.144 acres in size and is located in the Brookfield subdivision, a community of substantial homes on large lots. The property is zoned R.C.4. The Petitioner proposes constructing a two story colonial style dwelling on site. The dwelling will be approximately 10,000 sq. ft. in area.

Mr. Wang testified that, in order for the architectural symmetry of

the dwelling to be preserved, a variance from the 35 ft. height limitation imposed by Section 1A03.4.A must be attained. The Petitioner proposes a height of 42 ft. Mr. Wang testified that the variance was required both from an interior and exterior architectural standpoint. That is, the exterior of the roof pitch and house width required the proposed height of 42 ft.; and from an interior room design standpoint, the increased height was necessary to preserve the desired 9 ft. ceiling height. Also, the Petitioner submitted a letter and a petition from the Brookfield Community Association evidencing their support of the requested zoning variance.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

I RECEIVED FOR FILING

THEREFORE, IT, IS ORDERED by the Zoning Commissioner for Baltimore County this day of February, 1993 that the Petition for a Variance Section 1A03.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a dwelling height of 42 ft., in lieu of the required 35 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are condi-

1. The Petitioners may apply for their building

Zoning Commissioner for Baltimore County

LES/mmn

tions precedent to the relief granted herein:

permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn cc: Mr. and Mrs. Sarkis Aghazarian 3001 Jackson Ridge Court Phoenix, Maryland 21121

Suite 113 Courthouse

Towson, MD 21204

400 Washington Avenue

610 Bosley Avenue

Dear Mr. Spicer:

Towson, Maryland 21204

Malcolm F. Spicer, Jr., Esquire

RE: Case No. 93-203-A

accordance with the attached Order.

contact our Appeals Clerk at 887-3391.

Petition for Variance

8 Glenberry Court

Petition for Variance to the Zoning Committee To The Total Committee Total Com to the Zoning Commissioner of Baltimore County for the property located at 8 Glenberry Court

which is presently zoned This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A03.4.A to allow a dwelling height of 42 feet in lieu of the required 35 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or Strict compliance would be unnecessarily burdensome as home has been designed. Aesthetic qualities and architectural elements would be diminished by strict compliance. Spirit of Ordinance would be observed given large size of lots and great distance between dwellings.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

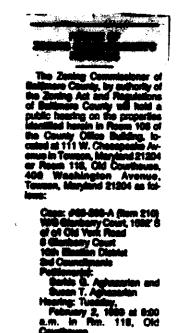
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. SARKIS 6. HOHAZARIAN Signature C. Atheren wo Jusan T Aghazarian Malcolm F. Spicer, Jr. 3001 Jackson Ridge Ct. W-554-2935 Maryland 21131 Name, Address and phone number of legal owner, contract purchaser or representative 610 Bosley Avenue 296-2600 Malcolm F. Spicer, Jr. Towson, Maryland 21204
City State Zipcode 610 Bosley Avenue, Towson, MD 21204
Address Phone No 296-2600

93-203-A Zoning Description for 8 Glenberry Court Aghazarian, Sarkis and Susan, Petitioners

Beginning at a point on the west side of Glenberry Court which is 50' wide at the distance of 1592' south-west of the center line of the nearest improved intersecting street Old York Road which is 20' wide (proposed 70'). Being lot 26 Section One (plat three) of the subdivision of Brookfield as recorded in Baltimore County Plat Book 57 folio 16 containing 5.144 Ac. Also known as 8 Glenberry Court, Phoenix, Maryland 21131 and located in the 10th Election District.

Vangnia Sarkis & Susan

CERTIFICATE OF POSTING



CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on __

| Doll' wire Ca Zoning Administration & Development Management
111 West Chesopeake Avenue
Towson, Maryland 21204

Japan

(410) 887-4386

Account: R-001-6150

Baltimore County Government

February 2, 1993

Zoning Commissioner

Office of Planning and Zoning

Enclosed please find the decision rendered in the above captioned

be advised that any party may file an appeal within thirty (30) days of the

additional information concerning filing an appeal, please feel free to

date of the Order to the County Board of Appeals. If you require

In the event the decision rendered is unfavorable to any party, please

Very truly yours,

Lawrence E. Schudt

Zoning Commissioner

case. The Petition for Variance has been granted, with restriction, in

19HJ441101 MTTHEO

Zoning Administration &

Developme & Maisigement

Vor. sest van voja vike vrvanne. Vov. sen, Maryland 21209

1991 **1999**

Account R 0(1 6150

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REVIEWED BY: LO DATE NIGV

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

DATE: 1/25/93

Sarkis and Susan Aghazarian 3001 Jackson Ridge Court Phoenix, Maryland 21121

RE:
CASE MUMBER: 93-203-A (Item 210)
W/S Glenberry Court, 1592' S of c/l Old York Road
8 Glenberry Court
10th Election District - 3rd Councilmanic
Petitioner(s): Sarkis G. Aghazarian and Susan T. Aghazarian
HEARING: TUESDAY, FEBRUARY 2, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$_____ is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZOMING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return wail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Cell Jobber

Division (Public Services)

Waiver Number

Thomas Booth, Louis and Elmer Morsberger

Wyaness Associates Limited Partnership

Robert E. Ryan and Marianne H. Gillette

Baker Land Company

Charles A. Wagandt

Kenneth E. and Carol C. Lentz

Aubrey N. and Ruth N. Freeman

Michael J. and Bonnie Conner

James G. and Pamela J. Miller

DED DEPRM RP STP TE

Red 1/4/93

Pickersgill, Inc.

Sarkis G. and Susan T. Aghazarian

Development Review Committee Response Form
Authorized signature Development Development Date 1/4/93

212

Zoning Issue

Meeting Date

ARNOLD JABLOI DIRECTOR

cc: Malcolm F. Spicer, Jr.

Printed on Recycled Paper

File Number

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue Towson, MD 21204



JAN. 1 1 1893

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(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore

County will hold a public bearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesspeaks Avenue in Tousson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Haryland 21204 as follows:

CASE NUMBER: 93-203-A (Item 210)
W/S Glenberry Court, 1592' S of c/1 Old York Road
8 Glenberry Court
10th Election District - 3rd Councilmanic
Petitioner(s): Sarkis G. Aghazarian and Susan T. Aghazarian
HEARING: TUESDAY, FEBRUARY 2, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

<u>Variance</u> to allow a dwelling height of 42 feet in lieu of the required 35 feet.

Arnold Jablon
Director

:: Sarkis and Susan Aghazarian Malcolm F. Spicer, Jr., Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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Maryland Department of Transportation
State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$\dagger 210 (LJG)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Solution Sund

For John Contestabile, Chief

Engineering Access Permits

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toli Free 707 North Calvert St., Baltimore, Maryland 21203-0717 Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue

Malcolm F. Spicer, Jr., Esquire

process with this office.

610 Bosley Avenue

Towson, MD 21204

Dear Mr. Spicer:

accordingly.

Towson, MD 21204



January 19, 1993

RE: Case No. 93-203-A, Item No. 210

Petition for Variance

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans

submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the

appropriateness of the zoning action requested, but to assure that all

parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are

made aware of plans or problems with regard to the proposed

Enclosed are all comments submitted thus far from the members of ZAC

that offer or request information on your petition. If additional

comments are received from other members of ZAC, I will forward them

to you. Otherwise, any comment that is not informative will be placed

in the hearing file. This petition was accepted for filing on the

date of the enclosed filing certificate and a hearing scheduled

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing

Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that

comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office

without the necessity of a preliminary review by Zoning personnel.

The Director of Zoning Administration and Development

improvements that may have a bearing on this case.

Petitioner: Sarkis G. Aghazarian, et ux

(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204 Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

Your petition has been received and accepted for filing this 17th day of December 1992.

ARNOLD JABLON

Received By

Chairman,
Zoning Plans Advisory Committee

Petitioner: Sarkis G. Aghazarian, et ux Petitioner's Attorney: Malcom F. Spicer, Jr.

Printed on Recycled Pap

COUNT 10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mo: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 5, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee (December 28, 1992)

The Office of Planning and Zoning has no comments on the following petitions:

Charles Wagandt, Item No. 203
Walter and Carolyn Shaw, Item No. 204
Michael and Bonnie Conner, Item No. 207
James and Pamela Miller, Item No. 209
Sarkis and Susan Aghazarian, Item No. 210
Stephen and Mary Catherine Fox, Item No. 211

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Division Chief: Cay (Consideration Chief: Consideration Chief: Cay (Consideration Chief: Cay (Consideration Chief: Consideration Chief: Cay (Consideration Chief: Consideration Chief: Consideration Chief: Cay (Consideration Chief: Consideration Chief: Consideration Chief: Cay (Consideration Chief: Consideration Chief: Consideration Chief: Consideration Chief: Consideration Chief: Cay (Consideration Chief: Consideration Chief: Consideration Chief: Consideration Chief: Consideration Chief: Cay (Consideration Chief: Consideration Chief: Cay (Consider

PK/FM: rdn

ITM20479.ZAC/ZAC1

DPW/Traffic Engineering Development Review Committee Response Form Authorized signature ______ Mullon K. L. Date 1/4/93 Project Name Meeting Date Charles A. Wagandt 12-28-92 DED DEPRM RP STP TE Walter Dempsey Lee and Carolyn Shaw Thomas Booth, Louis and Elmer Morsberger Michael J. and Bonnie Conner DED DEPRM RP STP TE DED DEPRM RP STP TE Stephen Thomas Fox and Mary Catherine Wilson Stonegate at Patapsco (Azreal Property) ZON DED TE (Waiting for developer to submit plans first) COUNT 1

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech

Development Review Committee Response Form Young Date 1-11:93 Project Name File Number Waiver Number Zoning Issue Meeting Date Walter Dempsey Lee and Carolyn Shaw 204 12-28-92 DEPRM RP STP Inprocess Thomas Booth, Louis and Elmer Morsberger 205 Inprocess Michael J. and Bonnie Conner
Project Name 'File Number Waiver Number Zoning Issue Meeting Date Walter Dempsev Lee and Carolyn Shaw 204 DEPRM RP STP Thomas Booth, Louis and Elmer Morsberger 205 DEPRM RP STP Michael J. and Bonnie Conner
Walter Dempsey Lee and Carolyn Shaw 204 DEPRM RP STP Thomas Booth, Louis and Elmer Morsberger 205 DEPRM RP STP Michael J. and Bonnie Conner
DEPRM RP STP Thomas Booth, Louis and Elmer Morsberger 205 DEPRM RP STP Michael J. and Bonnie Conner
Thomas Booth, Louis and Elmer Morsberger 205 DEPRM RP STP ***********************************
DEPRM RP STP ***********************************
Michael J. and Bonnie Conner
DEPRM RP STP 207 WI' Hen Comments
James G. and Pamela J. Miller
DEPRM RP STP 209 Written Comments
/ Sarkis G. and Susan T. Aghazarian
DEPRM RP STP NOCOMMENTS
Pickersgill, Inc.
DED DEPRM RP STP TE
COUNT 7
FINAL TOTALS COUNT 16
* * * * END OF REPORT * * *

 $\kappa_{
m C}$ the undersigned, residents of Baltimore County,

hereby indicate one support for the Variance requested by Dr. and

Mis. Barkis Aghazarian to allow their dwelling to be constructed

to a height of 42 feet in lieu of the required 35 feet as

requested in the Petition For Variance, a copy of which is

NOTE: SIGN ON LINE - PRINT NAME ABOVE SIGNATURE

Baltimore County Government Fire Department 700 East Joppa Road Suite 901 Towson, MD 21286-5500 DECEMBER 28, 1992 (410) 887-4500 Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 RE: Property Owner: SARKIS G. AGHAZARIAN AND SUSAN T. AGHAZARIAN #8 GLENBERRY COURT Location: Item No.: 210(LJG) Zoning Agenda: DECEMBER 28, 1992 Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property. 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. Planning Group

Special Inspection Division JP/KEK Printed on Recycled Paper

PRINT CLEARLY

NAME

NAME

SAR KIZ AGHAZARIAN

MICHAEL WANG

MICHAEL WANG

MALCOLM SPILER

TOWSON, MP 21204

BROOKFIELD COMMUNITY ASSOCIATION

c/o Ronald L. Baquol 3312 Paper Mill Road Phoenix, Maryland 21131

February 1, 1993

Dr. & Mrs. Aghazarian 3001 Jackson Ridge Court Phoenix, Maryland 21131

RE: Brookfield Lot 26

Dear Dr. & Mrs. Aghazarian:

We are pleased to inform you that your house plans and site plan for Lot 26 , Brookfield are approved and are subject to the following:

- All recorded restrictions and covenants for your residing residence, as well as municipal, zoning, and building codes for Baltimore County must be followed.
- Your proposed landscape plan must be submitted prior to occupancy in accordance with Item "C" landscaping as per Declarations of Brookfield restrictions and shall be installed by completion and occupancy of your home.
- Downspouts must be "buried" as specified in design standards.
- 4. Items not responded to in this letter shall follow architectural guidelines in Declaration of Brookfield Restrictions.
- 5. Any adjustments or changes to plans, elevations, site plans, materials and colors must be resubmitted to Brookfield Architectural Approval Committee c/o Ronald L. Baquol, 3312 Paper Mill Road, Phoenix, Maryland 21131, in writing.

Singerely

Ronald L. Baquol

Brookfield Community Association

FATTER'S
EXPLISE 3

Plat to accompany Petition for Zoning Variable ROPERTY ADDRESS: 8 GLENBERRY COURT See pages 5 &	6 of the CHECKLIST for additional required information
BROOKFIELD	
plat book# 57 ,folio# 16 ,lot# 26 ,section# 1	
WNER: SARKIS AND SUSAN AGHAZARIAN	Plat Three
	SUBJECT PROPERTY GLENBERRY COURT
A. J. Co.	
LOT 28 Ralph and Elaine Roger	JACKSON RIDGE
EXIST. DWELLING NO. 8298/85	KIDGE
5.58° 58'00'E	
LOT 29	PAPER MILL ROAD
George Stamp NO. 9119/0617 VACANT	Vicinity Map
50' BLOG. SETBACK LINE	Horth scale: 1'=1000'
	LOCATION INCODINGTION
	LOCATION INFORMATION
175' DIAGO.	Councilmanic District: 3
10 / / / Confirmer to Signary to	Election District: 10TH
SUTURE PAOLS CONTRACTOR STATE OF THE PAOLS STATE OF	1'=200' scale map#: NE 22-B
Secretaria de la companya del companya del companya de la companya	Zoning: R-C4
122'0' P	Lot size: 5.144 224,072.64
LOT 25	acreage square feet
Wayne and Judith Dejarnette	public private
CMIN. 1980 COL. 3 DISTIBILITION APPENDING THE LING NO. 8874/0653	SEWER: X
EXIST DWELLING NO. 8874/0653 FO BLOG TRESCHED INTERPRETATION SETTEMENT LINE FOR BLOG TRESCHED INTERPRETATION SETTEMENT LINE FOR BLOG TRESCHED	WATER: X
SENTIC MEMERITE OF STATE	Chesapeake Bay Critical Area:
N 04° 40' 02' W 15	Prior Zoning Hearings: NONE
PRIVATE INGRESS, EGRESS IC PANTHIG. MAINTENANCE FUTURY EMPEMENT 590	
	Zoning Office USE ONLY!
e: DECEMBER 6, 1992 PETITION	reviewed by: ITEM #: CASE#:
pared by: M.WANG,AIA Scale of Drawing: 1"= 50'-0 EXI-LEI	

Control Communication of the C

